

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
MOHAMMED DONZO,	:	
	:	
Plaintiff,	:	
	:	21 Civ. 629 (LGS)
-against-	:	
	:	
	:	<b><u>ORDER</u></b>
CITY OF NEW YORK et al.,	:	
	:	
Defendants.	:	
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LORNA G. SCHOFIELD, District Judge:

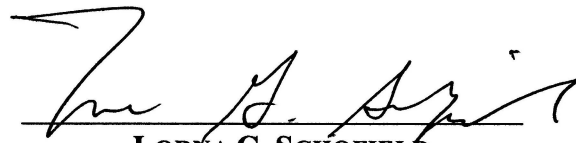
WHEREAS, Defendants have filed a letter regarding a proposed motion to dismiss the Complaint (Dkt. No. 19). Plaintiff opposes on efficiency grounds, noting that Defendant Mullen, a retired employee of Defendant New York Police Department, has not been served and that while the New York Law Department is representing the other individual Defendants in this case, its letter states, “[a]t this time, the Law Department does not represent Defendant Mullen in this action.” (Dkt. No. 25). Plaintiff also states that he is willing to withdraw his Title VII claims to the extent Defendants are raising an affirmative defense based on Plaintiff’s failure to file a charge with the Equal Opportunity Employment Commission prior to filing suit. It is hereby

**ORDERED** that by **May 7, 2021**, Corporation Counsel will determine whether it will represent Defendant Mullen and enter a notice of appearance or advise the Court that Corporation Counsel will not represent her. If not, it shall provide Plaintiff with her last known address for purposes of effecting service. It is further

**ORDERED** that by **May 7, 2021**, pursuant to the Court’s Individual Rules, Plaintiff shall provide a substantive response to Defendant’s pre-motion letter as to any claims or parties Plaintiff will not dismiss, and state whether Plaintiff (1) will voluntarily dismiss the Title VII claim (for failure to exhaust administrative remedies), (2) will dismiss the City of New York as a Defendant (because Plaintiff does not seek to bring a *Monell* claim), (3) will dismiss the New

York City Police Department because it is not a suitable entity and (4) will seek to amend the Complaint to cure any remaining deficiencies.

Dated: April 29, 2021  
New York, New York



**LORNA G. SCHOFIELD**  
**UNITED STATES DISTRICT JUDGE**